

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America)	
)	CA No. 6:03-2501-HMH
Plaintiff,)	
)	OPINION & ORDER
vs.)	
)	
Dennis E. Rice, Carolina Capital)	
Investment Corporation, Branch)	
Banking & Trust, Minark Corporation,)	
Montague Industrial, Inc.,)	
)	
Defendants.)	

This matter is before the court on the Government's motion to withdraw its motion to reopen the case.

On July 30, 2003, the Government filed a complaint in the instant action against Dennis Rice ("Rice") requesting the foreclosure of certain real property located at 101 Parkston Avenue, Greenville, South Carolina, based upon Rice's alleged default on a mortgage held by the United States Department of Agriculture. (Compl. ¶ 4, 9.) The court stayed the proceedings in the instant case on August 24, 2005, pending the conclusion of Rice's bankruptcy proceedings in the United States Bankruptcy Court. On January 12, 2007, the Government filed a motion to reopen the case. On January 16, 2007, the court granted the Government's motion to reopen the case.

The Government now moves, with the consent of Rice, to withdraw its motion to reopen the case filed on January 12, 2007. Accordingly, the court vacates its January 16, 2007, order granting the Government's motion.

It is therefore

ORDERED that the court's order granting the Government's motion to reopen the case, docket no. 34, is vacated.

IT IS SO ORDERED.

Greenville, South Carolina
February 7, 2007

s/Henry M. Herlong, Jr.
United States District Judge